

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

FINDTHEBEST.COM, INC.,

Plaintiff,

v.

No.: 1:13-cv-06521-DLC

LUMEN VIEW TECHNOLOGY LLC;
DALTON SENTRY, LLC;
DECISIONSORTER, LLC; THE HILLCREST
GROUP, INC.; EILEEN C. SHAPIRO; STEVEN
J. MINTZ; and DOES 1 through 50,

December 16, 2013

Defendants.

**DEFENDANT LUMEN VIEW'S NOTICE OF MOTION TO DISMISS
PLAINTIFF'S AMENDED COMPLAINT**

PLEASE TAKE NOTICE that Defendant Lumen View Technology, LLC ("Lumen View") hereby moves this Court for an Order dismissing the Amended Complaint in this action filed pursuant to Federal Rule of Civil Procedure 12(b)(6), as the Amended Complaint fails to set forth a plausible cause of action in any count against Defendant Lumen View.

In support of this Motion, Lumen View files herewith:

- (1) A Memorandum of Law in Support of Defendants' Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 12(b)(6);
- (2) A Proposed Order, submitted hereto as Exhibit A.

Dated: December 16, 2013

Respectfully Submitted,

STAMOULIS & WEINBLATT LLC



Stamatios Stamoulis (SS7949)
stamoulis@swdelaw.com
Two Fox Point Centre
6 Denny Road, Suite 307
Wilmington, DE 19809
Telephone: (302) 999-1540

*Attorneys for Defendant
Lumen View Technology, LLC*

Exhibit A

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

FINDTHEBEST.COM, INC,	:	
	:	
Plaintiff,	:	
	:	
v.	:	No.: 1:13-cv-06521-DLC
	:	
LUMEN VIEW TECHNOLOGY LLC;	:	
DALTON SENTRY, LLC;	:	
DECISIONSORTER, LLC; THE HILLCREST	:	
GROUP, INC.; EILEEN C. SHAPIRO; STEVEN	:	
J. MINTZ; and DOES 1 through 50,	:	
	:	
Defendants.	:	
	:	

[PROPOSED ORDER]

ORDER DISMISSING THE COMPLAINT WITH PREJUDICE

The Court has before it the Motion to Dismiss Plaintiff's Amended Complaint pursuant to Federal Rule of Civil Procedure 12(b)(6) for failure to state a claim upon which relief can be granted. The Court is of the opinion that the motion should be GRANTED.

IT IS HEREBY ORDERED that:

All Claims are dismissed with prejudice to the re-filing of same.

This is a Final Judgment.

SO ORDERED, this _____ day of _____, 2013.

HON. DENISE L. COTE
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

This is to certify that on December 16, 2013, a copy of the foregoing MOTION, PROPOSED ORDER, and MEMORANDUM IN SUPPORT OF DEFENDANTS' MOTION TO DISMISS was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

By: /s/ Stamatis Stamoulis
Stamatis Stamoulis (SS7949)